

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company
[U902E] for Authority to Update Marginal Costs, Cost
Allocation and Electric Rate Design.

Application 11-10-002
(Filed October 3, 2011)

**DECISION GRANTING COMPENSATION TO NATIONAL CONSUMER LAW
CENTER FOR SUBSTANTIAL CONTRIBUTION TO DECISION 14-01-002**

Claimant: National Consumer Law Center (NCLC)	For contribution to Decision (D.) 14-01-002
Claimed: \$58,272.00	Awarded: \$58,407.25
Assigned Commissioner: Michael Picker	Assigned ALJ: Amy Yip-Kikugawa & Stephen C. Roscow

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	The decision, in general, addresses the application of San Diego Gas and Electric Company (SDG&E) to establish marginal costs, allocate revenues and design rates. Of most relevance to this fees claim, the decision rejected SDG&E's proposed Prepay Program as not in the public interest and on other grounds.
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B. Claimant must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	December 9, 2011	Verified
2. Other Specified Date for NOI:		
3. Date NOI Filed:	January 6, 2012	Verified
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.10-02-005	A.11-05-017
6. Date of ALJ ruling:	April 1, 2010	October 20, 2011
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		Yes
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.10-02-005	A.11-05-017
10. Date of ALJ ruling:	April 1, 2010	October 20, 2011
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D. 14-01-002	Verified
14. Date of Issuance of Final Order or Decision:	Jan. 23, 2014	Verified
15. File date of compensation request:	March 21, 2014	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
3	We note that the NOI has not been ruled upon	<p>NCLC is correct in its assertion that its NOI has not yet been ruled upon in the instant proceeding. After reviewing NCLC’s NOI and the citations above, we find a slight variation from what NCLC cites to for its eligibility requirements.</p> <p>Public Utilities Code Section 1804 (b)(1) states, <i>a finding of significant financial hardship shall create a rebuttable presumption of eligibility for</i></p>

	<p><i>compensation in other commission proceedings commencing within one year of the date of that finding.</i></p> <p>Here, NCLC references the April 1, 2010 Ruling to establish a showing of customer status and significant financial hardship. This Ruling creates a valid rebuttable presumption for one-year, essentially until April 1, 2011. NCLC filed its NOI in January 2012, and therefore the one-year rebuttable presumption has expired. However, looking at NCLC's NOI in the instant proceeding, it cites to a Ruling in A. 11-05-017 for the basis of its showing of customer status and significant financial hardship. The ALJ's Ruling in A. 11-05-017 addressing NCLC's eligibility requirements was issued on October 20, 2011, creating a rebuttable presumption of significant financial hardship and customer status until October 20, 2012. As such, we use the October 20, 2011 Ruling to establish NCLC's requirements of a customer and showing of significant financial hardship in the instant proceeding.</p>
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PART II: SUBSTANTIAL CONTRIBUTION

A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (*see* § 1802(i), § 1803(a) & D.98-04-059).

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>NCLC sought a ruling that the SDG&E Prepay Proposal should be rejected on the following grounds:</p> <p>1. The proposal violates state laws.</p>	<p>1. A. NCLC offered the "Prepared Direct Testimony of John Howat," NCLC's Senior Policy Analyst, in opposition to SDG&E's Prepay Proposal, served 6/12/12 and admitted into evidence as Exh. NCLC-1 on 11/13/12. Three other parties joined NCLC in sponsoring this testimony: TURN, Center for Accessible Technology and Greenlining Institute (collectively with NCLC, "Consumer</p>	<p>Agreed.</p>

	<p>Groups”).</p> <p>(i) Mr. Howat’s testimony identified several California statutes (e.g., Code Sections 739.4, 779, and 779.1) which he thought would be violated if the Prepay Proposal was adopted (Howat testimony, pp. 5 – 7). His testimony noted that if the SDG&E Prepay Proposal were approved, customers would be subjected to a much shorter advance notice period prior to disconnection than required by statute and would also result in customers not receiving other notices required by law, such as notice of the right to enter into a payment plan (Howat testimony, pp. 5 – 7).</p> <p>B. NCLC, as part of the “Consumer Groups” (see 1.A), filed a joint “Opening Brief” (11/16/12) and “Reply Brief” (12/14/12) specifically on SDG&E’s Prepay Proposal. Both the Opening and Reply Briefs relied heavily on the testimony offered by NCLC Senior Policy Analyst John Howat.</p> <p>(i) In the Opening Brief, Consumer Groups argued that “SDG&E’s Prepay Proposal, if implemented, would violate California law” (Opening Brief, pp. 5 – 12) and also argued that “the statutory utility consumer protections cannot and should not be waived” (Opening Brief, pp. 12 – 23).</p> <p>(ii) The Reply Brief focused on issues similar to the Opening Brief, emphasizing that SDG&E had not substantively rebutted the argument that the consumer protections contained in state law cannot be waived (Reply Brief, pp. 1 - 4) and making further argument on various policy grounds (Reply Brief, pp. 4 -12).</p>	
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<p>2. The proposal puts low-income customers at risk of unwelcome harm.</p>	<p>C. The Decision (D. 14-01-002, issued 1/23/14) includes reference to the arguments made by NCLC and its partner groups (“Consumer Groups”), and the Commission granted the relief requested by the Consumer Groups by rejecting the Prepay Program proposal.</p> <p>(i) The Commission quotes at some length from the portion of the Consumer Groups’ Opening Brief (primarily drafted by NCLC, but in close coordination with the other Consumer Groups) in which these intervenors argued that the Prepay Proposal violated state law, and that the rights under those laws cannot be waived. The quoted section of the brief specifically argued that waiver of those rights would be against the “public interest.” (D. 14-01-002, page 52, see also C.O.L. 19, 20, 21).</p> <p>2. A. (i) Mr. Howat testified about the risks that struggling low-income households would face from Prepay (Howat testimony, pp. 7 – 9); provided analysis of the costs v. benefits of the Proposal (Howat testimony, pp. 11 – 19); and summarized the experience of customers in both the U.S. and United Kingdom among utilities that have implemented prepay plans (Howat testimony, pp. 20 – 24).</p> <p>(ii) Mr. Howat concluded that the Prepay Proposal would place additional financial burdens on customers, would place low-income customers at greater risk of disconnection, and would therefore not be welcomed by them (Howat testimony, pp. 25 – 28).</p> <p>B. The Commission relied on “the detailed testimony to the contrary from</p>	
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<p>3. The proposal would provide customers with inadequate notice of a planned disconnection and of their rights.</p> <p>4. The rights of utility customers which are protected by state law and which would be affected by the Prepay Program proposal cannot be waived, as this would violate public policy.</p>	<p>intervenors representing these affected customers,” in response to SDG&E’s assertion that “customers would welcome such a [prepay] program.” (D.14-01-002, p. 54)</p> <p>3. A. (i) Mr. Howat’s testimony noted that electronic notification of disconnection is considerably less reliable than notification by mail (Howat testimony, pp. 11 - 12)</p> <p>(ii) The Opening Brief also highlighted the risk that “depending on the communication means chosen (e.g., text message, automated phone message, or e-mail), customers “might receive no advance notice at all [of proposed service disconnections] since customers who are behind on their electric bills may also [be] behind on their internet or phone bills.” (Opening Brief p. 4; also see p. 8)</p> <p>B. The Commission took “note of Consumer Groups’ logical inference that . . . customers on the proposed Prepay Program might receive no advance notice of termination.” (D. 14-01-002, p. 54).</p> <p>4. A. (i) Consumer Groups in their Opening Brief argued that “statutory utility consumer protections cannot and should not be waived,” both “as a matter of law” and “as a matter of public policy.” (Opening Brief, pp. 13-22). The brief also specifically argued that a prior Commission decision which allowed waiver, issued in the context of the Critical Peak Pricing Program , was not a guiding precedent in the context of SDG&E’s Prepay Program proposal (<i>id.</i>, pp. 19 -22). These legal arguments</p>	
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	<p>were primarily drafted by NCLC, in collaboration with the other members of Consumer Groups.</p> <p>(ii) The Consumer Groups in their Reply Brief argued that SDG&E had done “nothing in its brief” to “counter this critical legal argument ” regarding waiver. The Consumer Groups again argued that the Commission’s prior “waiver” decision in D.06-07-027 (for which a rehearing decision issued as D.06-10-051), made in the context of the Critical Peak Pricing program, was completely distinguishable and not an appropriate precedent in the current case. (Reply Brief, pp. 1 -4).</p> <p>B. (i) The Commission explicitly rejected “SDG&E’s reliance on D.06-10-051 for its legal argument that the Commission should allow” for voluntary waiver of “statutory prior notice requirements,” adding that the earlier “decision [D.06-10-051] concerned a voluntary tariff that retained customer protections against unanticipated rate increases for the first year, not an experimental payment program that could induce customers to forego fundamental protections . . .” (D.14-01-002, p. 54)</p> <p>(ii) The Commission made a Finding of Fact that “[a] customer signing up for SDG&E’s proposed Prepay Program may be foregoing disconnection protections without being aware of it, because it cannot be conclusively shown that a customer has knowingly and voluntarily relinquished these protections if he or she signs up for the program.” (F.O.F. 11)</p> <p>(iii) The Commission also stated that “we do not find SDG&E’s proposed Prepay Program, in its current form, to</p>	
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	be in the public interest.” (D. 14-01-002, p. 54) (iv) The Commission held that “SDG&E’s proposed Prepay Program should be rejected.” (C.O.L. 22).	
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: The Utility Reform Network (TURN), Center for Accessible Technology, and Greenlining Institute.		Verified
d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: 1. In terms of coordinating with ORA, NCLC was in regular contact with ORA (then DRA), letting ORA know the positions it planned to take. At the outset, NCLC advised ORA that it planned to file testimony from NCLC Senior Policy Analyst John Howat on the prepay issues. Mr. Howat and NCLC lawyer Darlene Wong continued to keep in touch with ORA regularly. While ORA and NCLC saw value in filing separate testimony from Mr. Howat and ORA witness Lee-Whei Tan, NCLC witness Howat and ORA witness Tan were in contact with each other to keep each other apprised of their respective efforts and minimize duplication. Both ORA and NCLC/Consumer Groups were well aware that the other party planned to file expert testimony on the prepay issue. The two pieces of testimony supplement and complement each other. For example, Mr. Howat provided a detailed discussion in his testimony about actual experience with prepay in jurisdictions that have allowed it, including the resulting increase in disconnections, and also included analysis of how electronic notice is less adequate than notices sent via the mail. Similarly, NCLC/Consumer Groups much more thoroughly briefed the legal issues, including legal arguments fully adopted by the Commission that the rights afforded by California statutes to utility consumers cannot be waived. In this context, it is important to note that just prior to serving his testimony in this case (June 12, 2012), Mr. Howat had completed all of the research		

¹ The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

and writing of a report entitled “Rethinking Prepaid Utility Service: Customers At Risk,” covering topics very similar to those covered in his testimony. This facilitated discussions between ORA and NCLC about the planned scope of NCLC’s testimony and the types of facts and analysis NCLC would include in its testimony. Mr. Howat’s testimony, distinct from Ms. Tan’s, includes a great deal of analysis and data drawn from other jurisdictions that have already implemented prepaid utility service. To a significant extent, it does not duplicate ORA’s testimony although there is some overlap.

2. In terms of TURN, Center for Accessible Technology and Greenlining Institute, NCLC coordinated closely with these parties throughout the proceeding. Early in the proceeding, NCLC informed these parties that NCLC intended to offer expert testimony of NCLC’s Senior Policy Analyst John Howat as a witness on the issue of SDG&E’s Prepay Proposal and that NCLC also intended to actively research and brief the relevant legal issues. NCLC and these three other groups (the Consumer Groups) coordinated extensively on the filing of testimony and briefs regarding the prepay issue, thereby avoiding unnecessary duplication of efforts.

A single piece of testimony from Mr. Howat was sponsored by all four members of the Consumer Groups, with NCLC taking the lead in drafting that testimony. This minimized the effort that the other members of the Consumer Groups had to spend on drafting testimony, although they were consulted regularly. As noted in #1 immediately above, Mr. Howat was able to prepare his testimony quite efficiently given that he had just completed the research and writing for his paper “Rethinking Prepaid Utility Service: Customers at Risk.” Because Mr. Howat is on the staff of NCLC, this allowed NCLC and the other members of the Consumer Groups to avoid the time and expense of finding an outside expert witness and getting that witness up to speed on the issues raised by the SDG&E Prepay Proposal.

The Consumer Groups also filed a single, joint brief and reply brief focused solely on prepay issues, even though each of the other three members of the Consumer Groups also filed separate briefs on other issues. This eliminated the need for NCLC to spend any time reviewing a brief that contained both prepay issues and issues not germane to NCLC’s focus in this case. It also minimized the time the Consumer Groups collectively spent briefing the prepay issue, as individual sections of the prepay opening and reply briefs were assigned at the outset to various members of the Consumer Groups based on their expertise in the legal and factual issues. Legal research and writing by any one member of the Consumer Groups was thus not duplicated by the other groups; each member worked on a discrete portion of the briefs.

The Consumer Groups also coordinated to avoid unnecessary coverage of hearings. For example, NCLC attended none of the hearings in person, given the billable time and expenses that would have been incurred (NCLC is based in Boston) and instead coordinated closely with the other members of Consumer Groups to represent its interests at the hearings.

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§§ 1801 & 1806):**

a. Intervenor's claim of cost reasonableness:	CPUC Verified
<p>NCLC is seeking intervenor compensation in the amount of \$58,272. That cost should be compared to the benefits obtained.</p> <p>While the benefits are hard to quantify in monetary terms, it is worth noting that the Commission “did not find SDG&E’s proposed Prepay Program . . . to be in the public interest.” D. 14-01-002, p. 54. Thus, the decision, which cited to and relied on the efforts of NCLC and the other members of the Consumer Groups, helps to protect the public interest in minimizing disconnections of service that can result when prepaid service is allowed. In addition, the Commission noted the detailed testimony from consumers that the Prepay Proposal would not be welcome by them. <i>Id.</i> Thus, the decision presently provides consumers with protection against a program consumers would find unwelcome. Finally, the decision notes the “Consumer Groups’ logical inference” that, under the Prepay Proposal, customers on prepay “might receive no advance notice of termination,” <i>id.</i>, an unquestionable harm.</p> <p>These points (lack of required notice of disconnection; customers not welcoming prepaid service; threats to the public interest and public policy) are also reflected in the testimony of Mr. Howat (summarized in II, above).</p> <p>The testimony of ORA witness Lee-Whei Tan allows for at least a rough estimate of the harm that could occur. Ms. Tan notes in her testimony (p. 7-5) that “more than 124,000 customers” might have participated in the Prepay program, had it been approved. Those 124,000 customers would all be at risk of not getting notices required by state law. While it is not possible to estimate that harm in dollar terms, it is substantial given that the rights that would have been violated are protected by state law.</p> <p>Moreover, Ms. Tan estimated that “we may see more than 10,000 customers being disconnected” (ORA testimony, p. 7-5), if the Prepay Proposal were implemented. A disconnection that occurs, especially one without adequate notice as required by law, causes substantial harm. Depending on the household, loss of electricity can mean loss of heating and air conditioning, and, for all households, means loss of refrigeration and lights. Even if the harm is valued as low as \$100 per disconnected customer, the aggregate harm is \$1 million per year.</p>	Verified
<p>b. Reasonableness of Hours Claimed.</p> <p>NCLC is filing a total of approximately 145 hours, including the time of its expert witness Mr. Howat and the two attorneys who worked on the case (but excluding travel time and the time spent preparing the fees claim).</p>	

<p>Note that NCLC had two attorneys on the case only because Ms. Wong was lead attorney until she went on maternity leave around September 1, 2012, when Mr. Harak then stepped in to become lead attorney. Their work was not duplicative, as they worked on the case at different times. We are seeking no time for any work by Ms. Wong after August 22, 2012, and no time for work by Mr. Harak prior to September 6, 2012; their work on the case largely did not overlap. (Mr. Harak did supervise NCLC's work on the case from the outset, but the claim includes no time for this supervisory work).</p> <p>Given that NCLC's effort involved becoming familiar with the company's Prepay Proposal as well as becoming generally familiar with the overall case, preparing expert testimony, drafting and reviewing discovery, writing briefs, and coordinating with other parties, the hours claimed are reasonable. Mr. Harak has more than three decades' experience in litigating utility proceedings and is very efficient in his work. He also is the Manager of the energy unit at NCLC, and thus has experience managing the work of others efficiently. Moreover, by utilizing staff analyst John Howat as the expert witness on prepay, this minimized the time spent in two ways. First, Mr. Howat had recently completed the research and writing of the NCLC report "Rethinking Prepaid Utility Service: Customers at Risk," thus significantly minimizing the time needed to conduct original research needed for this case. Second, because Mr. Howat, Mr. Harak and Ms. Wong had already worked together at NCLC for years, this eliminated the time needed to locate an expert witness, and minimized the time needed to familiarize Mr. Howat with the issues and to create a cohesive working team.</p> <p>Please note that NCLC has already exercised substantial billing discretion. NCLC has not included any of Mr. Harak's time working on the case prior to September 6, 2012, even though he has been supervising NCLC's effort since January 2012. NCLC also has excluded more than 20 hours of other time as a matter of billing discretion, even though those excluded hours were related to work on this case. NCLC respectfully requests that the Commission consider this before exercising the discretion it has to reduce the hours submitted in an Intervenor Compensation Claim.</p>	
<p>c. Allocation of Hours by Issue (NOTE that percentages are based on the hours spent by attorneys and the expert witness directly on the case. Travel time and time spent preparing the fees claim is excluded in calculating the percentages below. The abbreviations below reflect coding used in the attached time records.)</p> <p>Issue "P" [Prepay] 91.6% Issue "G" [General legal work] 6.7% Issue "Gen" [General work by expert witness] 1.7%</p>	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Charles Harak, Esq.	2012	38.1	\$500	See Attachment 7	\$19,050.00	38.1	\$500 ²	\$19,050.00
Charles Harak, Esq.	2013	7.9	\$500	See Attachment 7	\$3,950.00	7.9	\$500 ³	\$3,950.00
Darlene Wong, Esq.	2012	28.25	\$325	D.13-04-009, p. 15	\$9,181.00	28.25	\$325	\$9,181.25
John Howat, expert witness	2012	72.25	\$240	D.14-03-020, p. 17	\$17,340.00	72.25	\$240	\$17,340.00
Subtotal: \$49,521.00						Subtotal: \$49,521.25		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
John Howat, expert witness	2012	18	\$120	½ of rate allowed in D. 14-03-020 (travel)	\$2,160.00	18	\$120	\$2,160.00
Subtotal: \$2,160.00						Subtotal: \$2,160.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Charles Harak, Esq.	2014	18	\$250	See Attachment #7 (1/2 of full rate)	\$4,500.00	18	\$257.50 ⁴	\$4,635.00
Darlene Wong, Esq.	2012	4	\$162.50	D. 13-04-009 (1/2 of full rate)	\$650.00	4	\$162.50	\$650.00
Subtotal: \$5,150.00						Subtotal: \$5,285.00		

² Approved in D.14-10-023.

³ Approved in D.14-10-023.

⁴ Application of Resolution ALJ-303 2.58% Cost-of-Living-Adjustment (COLA). The 2.58% COLA is applied to Harak's 2012 hourly rate of \$500, and to get the rate of \$515 or the half rate \$257.50 per hour.

COSTS				
#	Item	Detail	Amount	Amount
1	Jet Blue receipt	Air travel to 7/25 settlement meeting, John Howat	\$883.00	\$883.00
2	Hotels.com receipt	Hotel cost, in connection with 7/25 settlement meeting, John Howat	\$558.00	\$558.00
			Subtotal: \$1,441.00	Subtotal: \$1,441.00
			TOTAL REQUEST: \$58,272.00	TOTAL AWARD: \$58,407.25
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>				
ATTORNEY INFORMATION				
Attorney		Date Admitted to CA BAR ⁵	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Charles Harak		Admitted MA Bar 6/15/1977	MA Bar 221120 (active)	No
Darlene Wong		Admitted MA Bar 3/17/09 Admitted to PA Bar, 2001	MA Bar 674514 (active) (Inactive in PA)	No
Note that the Commission has repeatedly allowed Mr. Harak and Ms. Wong to appear before it and awarded them fees in the past. They are members in good standing of the Massachusetts, but not the California, bar.				

C. Attachments Documenting Specific Claim and Comments on Part III:

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	"John Howat 2012 CPUC 11-10-002" – Time record
3	"Darlene Wong 2012 CPUC 11-10-002" – Time record
4	"Charles Harak 2012 CPUC 11-10-002" – Time record

⁵ This information may be obtained at: <http://www.calbar.ca.gov/>.

5	“Charles Harak 2013 CPUC 11-10-002” – Time record
6	“Charles Harak 2014” and “Darlene Wong 2012” – Time record for preparation of Notice of Intent to claim compensation and of the Intervenor Compensation Claim
7	“Information justifying an increased hourly rate of \$500 for Charles Harak”
8	Jet Blue receipt – travel documentation
9	Hotels.Com receipt – travel documentation
10	Documentation of “Allocation of Hours By Issue”

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?	Yes

FINDINGS OF FACT

1. National Consumer Law Center has made a substantial contribution to D.14-01-002.
2. The requested hourly rates for National Consumer Law Center’s representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$58,407.25.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. National Consumer Law Center is awarded \$58,407.25.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company shall pay National Consumer Law Center the total award. Payment of the award shall include interest at the rate earned on prime three-month non-financial commercial paper as reported in Federal Statistical Release H.15, beginning June 4, 2014, the 75th day after the filing of National Consumer Law Center's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1401002		
Proceeding(s):	A1110002		
Author:	ALJ Roscow and Yip-Kikugawa		
Payer(s):	San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
National Consumer Law Center (NCLC)	1/23/2014	\$58,272.00	\$58,407.25	N/A	Application of Resolution ALJ-303 2.58% COLA.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Charles	Harak	Attorney	NCLC	\$500	2012	\$500
Charles	Harak	Attorney	NCLC	\$500	2013	\$500
Charles	Harak	Attorney	NCLC	\$500	2014	\$515/\$257.50
Darlene	Wong	Attorney	NCLC	\$325	2012	\$325
John	Howat	Expert	NCLC	\$240	2012	\$240

(END OF APPENDIX)